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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,085	03/10/2000	Douglas S. Foote	9137.00	5683

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EXAMINER

PWU, JEFFREY C

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 06/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/522,085	FOOTE ET AL.
Examiner	Art Unit	
Jeffrey Pwu	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) \_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)                    4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                    6) Other: \_\_\_\_\_

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## **DETAILED ACTION**

1. This action is responsive to the application, filed 2000-03-10.
2. The disposition of claims is: claims 1-21 are pending as filed. Claims 1, 8, 9, 10, 13, 15, 16, 17, 18, 19, 20 are independent.
3. The group art unit of the Examiner handling your case has changed. The new art unit is **3624**. Please use current art unit on all correspondence to help us route your case in a timely fashion.

### ***Title***

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Abstract***

5. Applicant is reminded of the proper language and format for an abstract of the disclosure. The form and legal phraseology often used in patent claims, such as "comprises" should be avoided.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Drummond et al. (U.S. 2001/001881).

***Drummond et al. teach:***

1. A method comprising: identifying an ATM which has a screen for displaying options for withdrawing cash and a touch input mechanism for receiving user commands; and modifying said ATM to enable it to receive from a wireless telephone user commands for dispensing cash (paragraph [0151]; fig.13).

2. The method of claim 1 wherein said modifying step includes retrofitting said ATM with a program for enabling said ATM to receive a transaction from a remote source (paragraph [0151]; fig.13; 542).

3. The method of claim 1 wherein said modifying step includes retrofitting said ATM with a transceiver adapted to receive signals directly from the wireless telephone (paragraph [0151]; fig.13).

4. The method of claim 3, wherein said transceiver is further adapted to transmit signals directly to said wireless telephone (paragraph [0151]; fig.13).

5. The method of claim 4, wherein said signals implement local wireless communication (paragraph [0151]; fig.13).

6. The method of claim 1 wherein said ATM is connected to a network for communication therebetween, and wherein said modifying step includes providing a connection between said network and said wireless telephone (paragraph [0151]; fig.13).

7. The method of claim 1 wherein said ATM is connected to a network for communication therebetween, and wherein said modifying step includes: retrofitting said ATM with a transceiver adapted to receive signals directly from a wireless telephone; and providing a connection between said network and said wireless telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151]; fig.13).

8. A method comprising: identifying an ATM which has a screen for displaying options for withdrawing cash and a touch input mechanism for receiving user commands; and modifying said ATM to enable it to receive from a wireless telephone user commands for dispensing cash without the use of said touch input mechanism (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

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9. An ATM comprising: a touch input mechanism for receiving user commands; and a transceiver for receiving user commands from a wireless telephone; wherein said ATM is adapted to receive user commands for dispensing cash from each of said touch input mechanism, said wireless telephone, and both (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

10. A method for operating an ATM having a touch input mechanism for receiving user commands, the method comprising the step of dispensing cash from said ATM in response to user commands from a wireless telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

11. The method of claim 10 wherein said dispensing step occurs without the receipt of user commands from said touch input mechanism (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

12. The method of claim 10 further comprising: dispensing said cash from said ATM; and charging a service fee for dispensing said cash to the account of the owner of said telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

13. A method of operating an ATM having a touch input mechanism for receiving user commands comprising: placing a call from a wireless telephone to said ATM over a wide area communications network; and transmitting information from said wireless telephone to said ATM using both said wireless telephone and said touch input mechanism (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

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14. The method of claim 13 further comprising: dispensing cash from said ATM; and charging a service fee for dispensing said cash to the account of the owner of said telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

15. A method comprising the steps of: identifying a self-service terminal which has a screen for displaying user options and a touch input mechanism for receiving user commands; and modifying the SST so that it receives user commands from a wireless telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

16. A transceiver for installing in a self-service terminal (SST) during a retrofit operation of the SST, where the transceiver is operable to conduct wireless communication with a user of the SST, and the transceiver is adapted to convey transactions to the SST, so that when the transceiver is installed in the SST a user can execute a transaction on the SST using a wireless communication device (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

17. A self-service terminal having been retrofitted to allow the terminal to execute transactions entered using a wireless telephone (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

18. A self-service terminal having been retrofitted to receive a transaction from an authorized source external to the terminal (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

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19. A self-service terminal including a program storage device, the device being upgraded to encode a program of instructions for monitoring an external source and for receiving a transaction from an authorized source via the external source (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

20. A method comprising: identifying a system which includes a host and a plurality of ATMs interconnected by a network in which each ATM has a screen for displaying options for withdrawing cash and a touch input mechanism for receiving user commands; and modifying said system to enable at least one of said ATMs to receive from a wireless telephone user commands for dispensing cash (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

21. The method of claim 20 wherein said modifying step includes upgrading a program residing on said host, on at least one of said ATMs, or both (paragraph [0151], [0049], [0066], [0081], [0142], [0146], [0151], [0160], [0163], [0164], [0165]; fig.13).

☞ Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey Pwu whose telephone number is (703) 308-7835

Jeffrey Pwu



13 June 2002